

Herman B. Wagner
6470 Memorial
Detroit MI 48228

Michigan Supreme Court
Supreme Court Clerk
P.O. BOX 30052
Lansing MI 48909

Dear Sir,

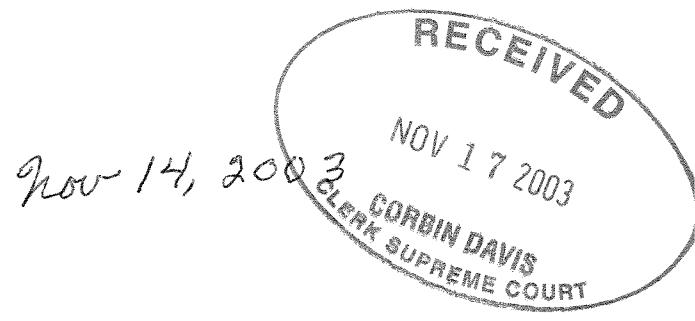
I like many steelworkers have worked in the mills where asbestos fibers have settled in our lungs. We may not have cancer yet, but our lungs have been damaged.

I understand that there is a proposed Court Rule No 2003-47, that if passed would take away working peoples right to a trial by jury. This is another attempt to enact laws against the poor workingman for the betterment of the rich.

The Michigan Constitution as well as the United States Constitution makes it clear that judges are not to make the law but rather interpret the law. Why is the Michigan Supreme Court even considering taking steps that would effectively change the law by denying Michigan asbestos disease victims their rights to a jury trial.

It seems that Michigan and the Michigan Supreme Court are being used as tools of the asbestos industry and big business to deny working people of their constitutional rights to jury trials when harmed by corporate misconduct.

The crisis in the State of Michigan regarding asbestos litigation is the fact that big business, corporations, the asbestos industry and law firms like Dickinson Wright feel free to try to take working peoples lawsuits out of court and away from juries.



The real crisis in Michigan is the failure of corporations to take responsibility for their bad actions and the willingness of big business and certain conservative republican judges to blame the victims of corporate misconduct instead of holding the corporations accountable.

What are the true facts about asbestos litigation in Michigan? In fact, in the last four years, there has been one asbestos case tried to verdict in the entire State of Michigan. All other cases settle before trial.

In conclusion, do not let the asbestos industries attempt to have the Michigan Supreme Court change the law by adapting the proposed Court Rule No. 2003-47. Judges are not to make the law but rather interpret the law.

Money will not cure those asbestos affected workers of their lung disease but it may make life slightly more comfortable for them. To get that money, they should have a right to a trial by jury. Do not make Court Rule No. 2003-47 a law.

Sincerely,
Peterman B. Wagner